

### Remarks

The following is a response to the Office Action dated December 31, 2003.

Attached to this Amendment is a new Declaration in which the inventors' addresses are provided, and the filing date of the application as well as the earlier filed Amendment indicated.

Per the above Amendment, claim 1 has been amended and claims 3, 4, 10 and 11 have been cancelled. The claims pending for this application are therefore claims 1, 6, 7 and 13.

The pending claims were rejected under Brain (US 5,305,743), either singly under 35 U.S.C. 102(b) or 35 U.S.C. 103(a), or in combination with Sullivan (US 5,243,971) under 35 U.S.C. 103(a).


Per the above Amendment, there is now recited in claim 1 a rotationally-moulded bond between the cover member and the mount member. The mask of claim 1 is therefore believed not to be defined by the process of making it.

Brain (US 5,305,743) describes a mask with a cuff formed integrally with a mount so this in itself is different from what is required by the amended claims. Furthermore, there is clearly no suggestion in Brain that the mask have any bond, let alone a moulded bond between the cuff and the mount in the manner now required by the amended claims. Indeed, Brain teaches away from having a separate cuff.

Sullivan (US 5,243,971) describes a nasal mask having a membrane adhered to a more rigid shell. There is nothing in this document to suggest that the membrane be attached by a moulded bond in the manner now required by the amended claims.

In light of the above, applicants respectfully submit that the instant invention is patentably distinguishable over the prior art. The examiner is therefore respectfully requested to reconsider the application and allow the pending claims.

Respectfully submitted,



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